

1 THE HONORABLE MARSHA J. PECHMAN

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 JACK L. LIEBO, individually and on behalf
10 of all others similarly situated,

11 Plaintiffs,

12 v.

13 CEDAR SHAKE & SHINGLE BUREAU, a
14 Washington nonprofit corporation;
15 WALDUN FOREST PRODUCTS, LTD, a
British Columbia corporation; and
ANBROOK INDUSTRIES LTD, a British
Columbia corporation,

16 Defendants.

Case No. 2:19-cv-00288-MJP

**ORDER REGARDING AMENDED
COMPLAINT AND EXTENSION OF
DATE TO RESPOND**

17 **ORDER**

18 This matter comes before the Court on Plaintiff Jack L. Liebo (“Plaintiff”) and Defendant
19 Cedar Shake & Shingle Bureau’s (“CSSB”) Stipulation regarding Plaintiff’s proposed
20 consolidated and amended complaint and the deadline for an answer to such complaint by CSSB,
21 or a briefing schedule for any motion to dismiss.

22 Having reviewed the parties’ Stipulation and good cause appearing, the Court **ORDERS:**

23 1. Given that Plaintiff intends to file a consolidated and amended complaint, CSSB’s
24 deadline to answer or otherwise respond to Plaintiff’s initial complaint (Dkt. 1) is deferred.

25 2. CSSB shall have 45 days after Plaintiff’s filing of a consolidated and amended
26 complaint to answer or otherwise respond to the amended complaint.
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3. If the CSSB elects to respond to Plaintiff's consolidated and amended complaint by moving to dismiss pursuant to Federal Rule of Civil Procedure 12, then Plaintiff's opposition is due within 45 days, and CSSB's reply is due 21 days after the filing of Plaintiff's opposition.

4. In the event Plaintiff decides not to file an amended complaint, counsel for Plaintiff will notify counsel for CSSB, and counsel for the parties will meet and confer and attempt to reach agreement on the date for CSSB to respond to Plaintiff's complaint or on a briefing schedule for any motion to dismiss. The parties will then submit the agreed date or briefing schedule to the Court for its consideration and approval, or advise the Court they have not been able to reach agreement, within ten days CSSB's counsel has been so notified.

5. Defendants Waldun Forest Products, Ltd. and Anbrook Industries, Ltd. have not yet appeared in this matter, but if and when they do, they will be permitted to join in this Stipulation and Order.

IT IS SO ORDERED.

DATED this 27th day of March, 2019.

Wasshof. Peltman

Marsha J. Pechman
United States Senior District Judge

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1 **CERTIFICATE OF SERVICE**

2 The undersigned certifies under penalty of perjury under the laws of the United States,
3 that on the 21st day of March, 2019, the document attached hereto was presented to the Clerk of
4 the Court for filing and uploading to the CM/ECF system. In accordance with their ECF
5 registration agreement and the Court's rules, the Clerk of the Court will send e-mail notification
6 of such filing to all CM/ECF participants.

7 DATED this 21st day of March, 2019.

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9 s/Heidi B. Bradley
Heidi B. Bradley